

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

CHARLES NASH,

Petitioner,

v.

ERIC QUALLS, Warden¹,

Respondent.

No.: 1:14-cv-246-HSM-SKL

MEMORANDUM AND ORDER

This is a petition for the writ of habeas corpus pursuant to 28 U.S.C. § 2254. The petitioner has not paid the required \$5.00 filing fee² nor has he submitted an application to proceed *in forma pauperis*. The Clerk is **DIRECTED** to send petitioner an application to proceed *in forma pauperis*. The Clerk is further **DIRECTED** to hold the petition for thirty (30) days pending receipt of the \$5.00 filing fee or an application to proceed *in forma pauperis*. Petitioner is advised that failure to pay the filing fee, or submit a completed application to proceed *in forma pauperis*, within the time allowed will result in the automatic dismissal of this action without further notice by the Clerk of Court.

¹Petitioner has named as respondent the Attorney General of the State of Tennessee. Petitioner is confined in the Bledsoe County Correctional Complex and the warden of that facility, Eric Qualls, is the proper respondent. The Clerk is **DIRECTED** to substitute Eric Qualls as respondent in this action.

²The Court received a notice from petitioner approximately one month after the habeas petition was filed, in which petitioner stated that he mailed the filing fee to the Court along with the petition. Petitioner is advised that the Court has no record of receiving the filing fee.

ENTER:

/s/ Harry S. Mattice, Jr.

Harry S. Mattice
UNITED STATES DISTRICT JUDGE